

Chapter 8

BUILDING CODE

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8.01 Authority. These regulations are adopted under the authority granted by Wis. Stats. §101.65.

8.02 Purpose and Scope.

(1) The purpose of this ordinance is to promote the general health, safety and welfare and to maintain required local uniformity with the administrative and technical requirements of the Village Building Code.

(2) The scope of this ordinance includes the construction and inspection of new-detached garages and one and two family dwellings built after June 1, 1980 covered under the Wisconsin One and Two Family Dwelling Code. It also includes the alterations and additions to dwellings built prior to June 1, 1980 covered under the Village Dwelling Code and the Commercial Building Code.

8.03 Appointment of Building Inspectors.

(1) **BUILDING INSPECTOR.** The building inspector shall be appointed according to section 1.03 of this code.

(2) **ASSISTANT BUILDING INSPECTOR.** During peak workloads or natural disasters, the Village Board may appoint Assistant Building Inspectors that are certified by the Department of Commerce, Safety and Buildings Division to perform inspections.

8.04 Wisconsin Uniform Dwelling Code Adopted. The Wisconsin Uniform Dwelling Code was adopted June 2, 1980. All amendments thereto, are adopted and incorporated by reference and shall apply to all buildings covered under the Wisconsin One and Two Family Dwelling Code.

(1) SPS 327 – CAMPING UNITS is adopted and all amendments thereto, are adopted and incorporated by reference and shall apply to a buildings covered therein.

8.05 Village Dwelling Code. In cases where homes or accessory buildings were built prior to June 1, 1980 and alterations and additions are made, the Building Inspector will use the following chapters as

the enforcement standard. The most recent code adopted by the State of Wisconsin

(1) SPS 320 – ADMINISTRATION AND ENFORCEMENT.

(2) SPS 321 - CONSTRUCTION STANDARDS.

The most recent code adopted will be used as a guideline and the Building Inspector will determine what is repair/maintenance and what must be corrected with new construction in order to eliminate a situation that could affect the general health, safety or welfare of the occupant. The inspector is responsible for maintaining local uniformity of the administrative and technical requirements.

(3) SPS 322 – ENERGY CONSERVATION.

(4) SPS 323 - HEATING, VENTILATION, AND AIR CONDITIONING STANDARDS.

(5) SPS 324- ELECTRICAL.

(6) SPS 325- PLUMBING.

8.06 Commercial Building Code. The building, Heating, Electrical and Plumbing Inspectors, as certified by the Department of Safety and Professional Services, are hereby authorized and directed to administer and enforce all of the provisions of this subsection. Any future amendments, revisions, renumbering's, or modifications of the Wisconsin Administrative Code incorporated herein are intended to be made part of this code in order to secure uniform statewide regulation of these matters.

(1) SPS- 361 to 365 Commercial Building Code

(2) SPS- 366 Existing Building Code

(3) SPS- 375 to 379 Buildings constructed prior to 1914

8.07 Administration And Enforcement. All construction not covered by the One and Two Family Uniform Dwelling Code or the Commercial Building Code will be handled as follows.

(1) **DEFINITIONS.** Use the most current SPS 320 of the One and Two Family Uniform Dwelling Code.

(2) PERMIT FORM. The Building Inspector shall retain one copy and one copy shall be given to the applicant.

(3) PROCEDURES FOR OBTAINING A PERMIT. Application for a village construction permit shall be done on the forms obtained from the Building Inspector. (a) All permits, other than permits issued under the Uniform Dwelling Code, expire six (6) months from the date of issuance.

(b) No application shall be accepted that does not contain all the information requested on the form.

(c) The Building Inspector may request a plot plan, floor plan, structural plan or any data related to the project as deemed necessary by the Building Inspector.

(d) The Building Inspector may issue an early start permit for footings and foundations using the same criteria specified in SPS 320 of the One and Two Family Uniform Dwelling Code.

(e) The plan review may take up to five business days if the applicant provides all the material requested by the Building Inspector.

(f) If the applicant fails to provide the information or provides inadequate information, the Building Inspector may need additional time to review the building plans.

(g) If a permit is denied to the applicant, the Building Inspector shall provide a reason or reasons for the denial.

(h) If the applicant does not agree with the Building Inspector reason(s) or requires a variance, the applicant may appeal to the Board of Appeals. See 21.19 of the North Fond du Lac Zoning Code for Board of Appeals information.

(4) INSPECTIONS. All inspections shall be performed as specified in SPS 320.10 of the One and Two Family Uniform Dwelling Code.

(5) ADOPTION OF STANDARDS. The Village of North Fond du Lac will accept standards as specified in SPS 320.24 of the One and Two Family Uniform Dwelling Code.

(6) Conflicting ordinances. Any existing ordinances pertaining to the construction of new dwellings, accessory structures, commercial building, or building components that conflict with the provisions of this section are hereby repealed.

8.08 Right Of Access To Buildings And Property. If a permit has been obtained to perform work at a public building, private building or a property within the limits of the Village of North Fond du Lac, the inspector has the right, during reasonable hours, to inspect the work performed. Failure to grant access to a property may result in an inspection warrant being requested by the inspector.

8.09 Other Codes And Ordinances Enforced. The Building Inspector must enforce all ordinances and codes adopted by the village that regulate the construction of, the moving of, the drainage of, or the occupancy of a building.

8.10 Licenses And Certificates. The village and the State of Wisconsin require contractors to possess licenses and certificates in order to perform certain kinds of work. Homeowners and

contractors must check the village electrical code, the village plumbing code, and other village ordinances for detailed information about licenses and certificates that relate to specific trades.

8.11 Requirements Specific to the Village of North Fond du Lac.

(1) **EAVES AND DOWN SPOUTS.** All new one or two family dwellings shall have eaves and down spouts. The Building Inspector shall determine the location and number of eaves and down spouts (Adopted June 2, 1980).

(2) **OUTSIDE WATER METER TOUCH PADS.** All dwellings must have a touch pad installed, according to the provisions of section 12.06 of this code, on the outside of the building that connects to the water meter. The charge for the water meter shall be in accordance with the approved rates established by the Public Service Commission of Wisconsin.

(3) **TIME OF CONSTRUCTION OPERATIONS.** It shall be unlawful to conduct any construction operations between the hours of 9:00 P.M. and 7:00 A.M. in any place where a majority of the buildings within a radius of 400 feet are used in part or exclusively for residential purposes.

(4) **DRAINAGE PLANS.** Drainage plans must be submitted and approved by the Director of Public Works before any addition, new home, garage or building is built. A drainage plan is also required for filling yards for the purposes of landscaping or raising ground elevations.

(a) All new subdivisions or developments must have a master drainage plan that is reviewed and approved by the Director of Public Works. The Director of Public Works is the only individual authorized to modify the master drainage plan once it has been adopted for use.

(b) By request, the Building Inspector will provide a sample drainage plan and a list of required items to assist contractors and homeowners in preparing a drainage plan for individual lots.

(c) It will be the responsibility of the owner or developer to provide adequate drainage facilities to deal with any water running off their property.

(d) Any person creating a drainage problem on adjacent property is responsible for correcting the situation either by surface or underground drainage of this area. The corrections must be done by accepted engineering practices and must be approved by the Director of Public Works.

(e) In certain cases, the village offers technical assistance to improve drainage. Refer to the Village Operating Policy 7.01.

(5) **SANDBLASTING CONTROL.** Any sandblasting of buildings or structures in the Village of North Fond du Lac requires the contractor or owner of the property to follow certain precautions to prevent property damage or injury to pedestrians.

(a) All work shall be done in such a manner that no waste, dust or abrasive materials shall permeate the air or be deposited on any public street, public sidewalk, public property, or personal property without permission granted by the Building Inspector and the owner of the property.

(b) The Building Inspector will require clean up of the site on a regular basis. Generally, the site shall be cleaned up at least once in every twenty-four hour period or prior to anticipated precipitation.

(6) **STORING MATERIALS ON STREETS.** No building material or machinery or equipment shall

be placed upon any street, sidewalk, or parkway without the approval of the Public Works Director.

(7) KEY KNOX BOX SYSTEM.

- (a) The following newly constructed or remodeled structures in which a building permit issued and the cost of the key box does not exceed twenty percent of the remodeling cost shall be equipped with a key lock box at or near the main entrance or such other location required by the fire chief.
 - 1. Commercial and industrial structures, whether protected by an automatic alarm system or automatic suppression system or not, and such structures that are secured in a manner that restricts access during an emergency.
 - 2. Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units.
 - 3. Governmental structures and nursing care facilities.
- (b) The key lock box location.
 - 1. At or near the recognized public entrance, adjacent to the fire annunciator panel, on the exterior of the structure, or above the Fire Department Connection, when occupancy is serviced by fire sprinkler system and/or fire alarm system approved by the North Fond du Lac Fire Department.
 - 2. The lock box shall be located at a height of not less than five (5) feet and not more than ten (10) feet above final grade or other height designated by the fire chief or designee.
 - 3. No steps, displays, signs or other fixtures, or structure protrusions shall be located under the box which would allow intruders to access the box without assistance.
- (c) All newly constructed or remodeled structures subject to this section shall have the key lock box installed and operational prior to the issuance of an occupancy permit.
- (d) The fire chief shall designate the type of key lock box system to be implemented within the Village and shall have the authority to require all structures to use the designated system.
- (e) The owner or operator of a structure required to have a key lock box shall, at all times, keep a key in the lock box that will allow for access to the structure and to a fire alarm annunciator panel if present.
- (f) The fire chief shall be authorized to implement rules and regulations for the use of the lock box system.

8.12 Certificate Of Compliance Required. Any land, vacant on the effective date of the Village Zoning Ordinance (November 2, 1959), and any building, structure or addition or major alteration thereto, constructed after November 2, 1959 shall not be used or occupied until a

certificate of compliance has been issued by the Building Inspector, except temporary occupancy pending completion of the building when approved in writing by the Building Inspector.

(1) No new use shall be made of any land, building, or structure until a certificate of compliance has been issued.

(2) Failure to comply with all provisions of this code may result in the withholding of required certificate of compliance pending compliance with code requirements.

8.13 Occupancy Permits.

(1) Occupancy permits must be issued prior to occupancy of a new home, mobile home, apartment building, or commercial building. All the Commercial Codes, Residential Codes, Uniform Dwelling Codes, HUD Codes, Zoning Codes and Village Ordinances must be met in order to obtain an occupancy permit.

(a) The Building Inspector must address the following items on the occupancy form:

1. Confirm gutters and downspouts are installed.
2. The smoke detectors are installed.
3. The lot conforms to the drainage plan.
4. The sidewalks and driveway approaches are installed.
5. Address numbers are installed adjacent to the front door.

(b) The Building Inspector shall provide a copy of the occupancy inspection results to the owner(s) of the property or the owner's agent.

(c) Failure to obtain an occupancy permit or a conditional occupancy prior to moving into the home may result in the police department evicting all persons from the structure until the issues are resolved.

(d) The Building Inspector has citation powers according to section 24.04 of this code and may elect to exercise that authority to obtain compliance. Citations may be written to the contractor or the homeowner.

(2) **CONDITIONAL OCCUPANCY PERMITS.** The Building Inspector may grant conditional occupancy in cases where unavoidable situations exist that would cause undue hardship to a homeowner.

(a) At the time a conditional occupancy is issued, a compliance date will be set for the completion of each remaining requirement.

(b) The homeowner will sign the conditional occupancy permit. As a condition of approval and issuance, the village may require the owner to execute a waiver of special assessments to guarantee a good faith completion of the permit conditions. This waiver would allow the village to levy special assessments without notice and hearing if the village is required to complete the required improvements and the homeowner refuses to pay the costs incurred.

(c) Rather than using the special assessment procedure, the Building Inspector may elect to exercise his citation authority and cite the homeowner or contractor to obtain compliance.

(d) The Building Inspector at his own discretion may withdraw a conditional occupancy for good cause at any time and order the police to evict all persons from the dwelling.

8.14 Wrecking Of Buildings And Structures. No building or structure shall be demolished without first applying for and obtaining a permit from the Building Inspector. The Village of North Fond du Lac requires all utilities to be abandoned properly, the basement hole must be filled in, and the lot must be seeded. If there is a sewer lateral or a water service serving the property, the Plumbing Inspector must inspect the abandonment. The contractor or individual demolishing the structure must ensure that all by passers are protected from falling or blowing debris. Sidewalks should be fenced and debris shall remain on the owner's property. No citizen shall intentionally burn any building or structure as a method of demolition. The North Fond du Lac Fire Department may do controlled burns.

8.15 Moving buildings. (1) **PLAN COMMISSION TO REVIEW.** No building shall be moved into or within the village limits without the plan commission reviewing the site plan prior to it being moved on to a lot of land located in the village.

(a) The plan commission is responsible to ensure that the architectural design of the building fits with the neighborhood into which the building is being moved and does not depreciate the value of the homes located around it. The plan commission must review:

1. pictures of the building in its present condition,
2. site plan of the proposed location of the building,
3. landscaping plan,
4. floor plan of the building and
5. timeline for all the improvements that will be done to the building.

6. The individual requesting the building to be moved must be prepared to supply the plan commissions with copies of all signed contracts for the moving and improvements on the building site.

(b) The village staff must review the drainage plan, construction plans, and the zoning prior to the meeting.

(c) The plan commission may require that a performance bond be obtained as a condition of approving the building relocation.

(d) *Exception.* Village staff may review a residential garage, 720 square feet (30 feet by 24 feet) or less, and allow the garage to be moved on to a lot in the village without plan commission review.

(2) If the building is moved outside of the village limits, the plan commission does not have to review the proposed site plan.

(3) **PERMIT REQUIRED, LOTS IN THE VILLAGE.** In order to obtain a permit to move a building on to a lot in the Village of North Fond du Lac, the following requirements must be met:

(a) The applicant shall file with the permit application a \$5,000 cashier's check or a \$5,000 bond payable to the Village of North Fond du Lac with good and sufficient sureties to be approved by the clerk, conditioned to save and keep the village harmless from all liability. The bond shall indemnify the village against any and all judgments, claims of every nature whatsoever, costs and expense resulting from moving the building, including damage caused to the utilities, street, curb, landscape, or sidewalk.

(b) The applicant must have the Police Chief and the Public Works Director review and approve the route to be used for the moving of the building.

1. The Police Chief will provide a time for the applicant to move the building.

2. The Building Inspector will issue the permit with the condition that the approved route and times will be used.

(c) The lot receiving the building must be prepared in advance. The driveway/tracking pad, foundation, sewer and water must be ready. The building must be set on the foundation immediately. No building will be allowed to be stored temporarily on blocks, a trailer, a street, a parking lot or on a lot in the village.

(d) If the building was removed from a lot in the village, the utilities must be abandoned properly, the hole must be filled in, and the lot must be seeded.

(e) The plan commission or staff must review the site plan of the receiving lot as described above.

(f) The contractor hired to move the building must mark the building. Lighted lanterns displaying a red light shall be attached to every building being moved along a street during the period from sunset to sunrise. The lighted lanterns shall be attached to the building to be moved, one at each corner and in every case, lighted lanterns shall not be placed farther apart than 12 feet.

(g) The contractor hired to move the building is responsible to notify the Building Inspector that the move is complete within 48 hours after the move is complete. 1. The Building Inspector will notify the Public Works Director and the Public Works Director or his designee will inspect the route taken by the mover. If the removal of the building has caused damage to the streets, alleys, curbing, sidewalks, landscaping, etc, the building mover shall forthwith place them in as good repair as they were before the permit was granted.

2. If the repairs are not completed in 10 days, the Village of North Fond du Lac shall repair the damage and use the cashier's check or hold the sureties on the bond given by the building mover/permit holder responsible for the payment.

(h) The contractor hired to move the building must provide proof of liability insurance.

(4) PERMIT REQUIRED, LOTS OUTSIDE OF THE VILLAGE. In order to obtain a permit to move a building out of the Village of North Fond du Lac, the following requirements must be met:

(a) The applicant shall file with an application a \$5,000 cashier's check or a \$5,000 bond payable to the Village of North Fond du Lac with good and sufficient sureties to be approved by the clerk, conditioned to save and keep the village harmless from all liability. The bond shall indemnify the village against any and all judgments, claims of every nature whatsoever, costs and expense resulting from moving the building, including damage caused to the utilities, street, curb, landscape, or sidewalk.

(b) The applicant must have the Police Chief and the Public Works Director review and approve the route to be used for the moving of the building. The Police Chief will provide a time for the applicant to move the building. The Building Inspector will issue the permit with the condition the approved route and times will be used.

(c) No building will be allowed to be stored temporarily on blocks, a trailer, a

street, a parking lot or on a lot in the village.

(d) If the building was removed from a lot in the village, the utilities must be abandoned properly, the hole must be filled in, and the lot must be seeded.

(e) The contractor hired to move the building must mark the building. Lighted lanterns displaying a red light shall be attached to every building being moved along a street during the period from sunset to sunrise. The lighted lanterns shall be attached to the building one at each corner and in every case lighted lanterns shall not be placed farther apart than 12 feet.

(f) The contractor hired to move the building is responsible to notify the Building Inspector that the move is complete within 48 hours after the move is complete.

1. The Building Inspector will notify the Public Works Director and the Public Works Director or his designee will inspect the route taken by the mover. If the removal of the building has caused damage to the streets, alleys, curbing, sidewalks, landscaping, etc, the building mover shall forthwith place them in as good repair as they were before the permit was granted.

2. If the repairs are not completed in 10 days, the Village of North Fond du Lac shall repair the damage and either use the cashier's check or hold the sureties on the bond given by the building mover/permit holder responsible for the payment.

(g) The contractor hired to move the building must provide proof of liability insurance.

8.16 Police Officers To Report. It shall be the duty of all police officers to report at once to the Building Inspector any building or remodeling activities within their respective districts which are being carried on without a building permit as required by this Village Building Code.

8.17 Building Permit Required for Alterations.

(1) No person shall alter, in excess of \$300 of value in any twelve month period, build, add onto or alter any building within the scope of this ordinance without first obtaining a building permit for such work from the Building Inspector.

(2) Value is determined by using one of the following methods:

(a) basing it on a contractor's quote, taking the materials used for the project and doubling them or

(b) by having the Building Inspector estimate the value.

(3) Any structural changes or major changes to mechanical systems that involves extensions shall require permits.

(4) Restoration or repair on an installation to its previous code-compliant condition as determined by the Building Inspector is exempted from permit requirements. Re-siding and re-roofing require permits. No permit is required for painting, wall papering, floor covering, or kitchen cabinetry.

8.18 Building Permit Fees. The building permit fees shall be determined by resolution of the village board.

8.19 Condemnation. See section 9.04 of this code

8.20 Plumbing Code.

(1) DEFINITIONS.

(a) *Apprentice*. Any person other than a master or journeyman plumber, registered as such with the Department of Safety and Professional Services.

(b) *Master and Journeyman Plumbers*. Any person licensed as such by the Department of Safety and Professional Services pursuant to Chapter 145, Wisconsin Statutes.

(c) *Plumbing*. For the purpose of this chapter:

1. As stated in State Statute 145.01(10), Wisconsin Statutes.
2. The construction, connection to or alteration of drain, soil, or waste pipe to carry domestic sewage, stormwater or industrial waste from a point three feet outside the foundation walls of any building to the sewer lateral at the curb or other disposal terminal, including private sewage disposal or treatment plant. This definition does not include minor repairs to faucets and the removal of stoppage in the soil or waste pipes.

(d) *Plumbing Inspector*. The position of Plumbing Inspector shall be appointed according to section 1.03(7)(k) to enforce the provisions of this chapter and other rules and regulations in force concerning plumbing and to carry out the provisions of Chapter 145, Wisconsin Statutes. The inspector shall administer and enforce this section and shall be certified as a UDC Plumbing Inspector by the Department of Safety and Professional Services as specified in SPS 305 and subsequent revisions.

(e) *Primary Residence*. A primary residence is determined to be the address where a person claims permanent residency for voting and receipt of state or federal tax mailings, etc. A primary residence is not a cabin, summer home, rental property business, etc.

(f) *Occupy the Home*. Prior to occupancy, the home must meet the Village of North Fond du Lac occupancy standards and the Wisconsin Plumbing Code which requires at least one toilet, one washbasin, one kitchen sink, one bathtub or shower, and a water heater to meet basic requirements for sanitation and personal hygiene.

(2) STATE OF WISCONSIN PLUMBING CODE ADOPTED. Except as otherwise specifically provided, Chapter 145 Wisconsin Statutes, and Chapter SPS 381 through 387 of the Wisconsin Administrative Code, and amendments thereto are hereby adopted and by reference made part of this chapter with the same force and effect as though set out herein in full. Failure to comply with any provisions of such statutes or the Administrative Code, whether subsequently amended or renumbered, shall constitute a violation of the section, punishable according to the penalties provided in this chapter.

(3) PLUMBING PERMIT REQUIRED.

(a) Permits. No person shall do any plumbing, unless licensed to do so or the work is being done by a property owner in a one-family building owned and occupied by him or her as his or her home or farm building and unless a permit has been issued by the Plumbing Inspector.

(b) Application for Permit. Application forms for permits required by this chapter will be furnished by the Plumbing Inspector. Such form will contain an accurate description of the property, the name of the streets to be opened and between what streets and all purposes for which the plumbing is to be used, the name and address of the owner upon which the plumbing work is to be installed and the type of work being performed.

(c) Plans. A plan, along with any supporting documents, must be submitted, when requested by the Plumbing Inspector. Such plans shall include a clear description of the proposed plumbing.

(d) Permit Fee. The plumbing permit fee shall be determined by resolution of the Village Board.

1. If a permit expires, a new permit shall be obtained prior to recommencing the work at a fee of one-half the amount required for a new permit, but not less than the minimum permit.

2. Re-inspection and special inspection may be charged at a rate of \$50 per inspection.

(e) Damage to sewers. Any person who shall damage or break up any drain, sewer, or any part thereof or who shall dig any ditch or drain in any street, pavement or sidewalk without a permit from the proper authorities or their representatives shall pay all damages and costs which may arise from such offense and, in addition thereto, such person shall be deemed to have violated this chapter and shall be subject to the penalty hereinafter provided.

(f) Uncovering or excavating around a sewer. No person shall uncover excavate under or around any sewer for any purpose whatsoever without first having obtained a permit as provided by this section.

(g) Expiration. A permit required under this chapter shall expire within six months if the work is not commenced or 12 months after the date of issuance.

(4) PLUMBING LICENSE REQUIRED. No person may engage in or work at plumbing in the Village unless licensed to do so by the Wisconsin Department of Safety and Professional Services

(a) Exception. A single-family dwelling owner may do plumbing inside their building if it is their primary residence.

(5) INSPECTIONS. Upon completion of the plumbing work on any premises, the person doing the work shall notify the Plumbing Inspector before such work is covered up. The Plumbing Inspector shall schedule an inspection time within the time allotted by the Wisconsin Uniform Dwelling Code and the Wisconsin Plumbing Code. The Plumbing Inspector shall require all plumbing to be exposed at the time of the inspection. Failure to have it exposed may result in the Plumbing Inspector requiring the plumbing to be uncovered.

(6) DRILLING OF PRIVATE WELLS. If municipal water is available, no person, firm, or corporation shall drill any well for the purpose of obtaining water.

(a) If unusual conditions demonstrate a need for a private well, the Public Works Director or the director's designee, may bring the issue to the plan commission.

1. The plan commission may allow a well where municipal water is available only if it is in the best interest of the public and the village is unable to provide the capacity

needed for the person, firm, or corporation.

2. The Public Works Director or the director's designee must be provided plans and specifications for the well and a map showing the location of the well.
3. In the event that the plan commission recommends the construction of a private well, and a permit is issued, the permit holder must comply with all of the provisions of section (6) Use of Private Wells, below.

(7) **USE OF PRIVATE WELLS.** The use of a private well located on any premise, which is served by the municipal water system of the village, shall be prohibited unless the Public Works Director or the director's designee has issued a valid Private Well Operation Permit for that well.

(a) To qualify for a Private Well Operation Permit the applicant must meet the following requirements.

1. The well and pump installation shall meet the requirements of Chapter NR 112, Wisconsin Administrative Code, and a well constructor's report shall be on file with the Department of Natural Resources; or certification of the acceptability of the well shall have been granted by the Private Water Supply Section of the Department of Natural Resources.

2. No physical cross-connection shall exist between the piping of the municipal water system and the private well.

3. Water from the private well shall not be used for human consumption.

4. The village shall have the right to inspect and sample the private well at its discretion and terminate the permit in the event that the water quality does not meet the drinking water standards established by the Private Water Supply Section of the Department of Natural Resources.

5. The owner of a private well that has a current permit may request the village to test their private well for coliform bacteria once a year. They must call and schedule a time for a utility employee to collect a sample of the well water. The cost of the test will be covered under the permit fee.

6. The village will terminate the permit in the event that the water quality does not meet the drinking water standards established by the Private Water Supply Section of the Department of Natural Resources.

(8) **ABANDONMENT OF WELLS.** Any private well that is located on a premise served by municipal water system of the village and for which no valid Private Well Operation Permit has been issued shall be properly abandoned by November 1, 1988, or within one (1) year of the municipal water service having been made available.

(a) The purpose of this requirement is to prevent unused and/or improperly constructed wells from serving as a passage for contaminated surface or near-surface waters or other materials to reach the useable ground water.

(b) Wells to be abandoned shall be filled according to the procedures outlined in Chapter NR 112, Wisconsin Administrative Code.

1. The pump and piping shall be removed and the well checked for obstructions prior to plugging.

2. Any obstruction or liner shall be removed.
 3. A well abandonment report shall be submitted by the well owner to the Department of Natural Resources on forms provided by that agency. The report shall be submitted immediately upon completion of the filling and sealing of the well.
 4. A designated representative of the village shall observe the filling of the well.
- (9) GARAGE DRAINS. Garage drains must discharge to the sanitary sewer. No garage drain may discharge to the grade or to the storm sewer within the village.
- (10) SUMP PUMP. Every dwelling or building containing a sump pump shall discharge to a point away from the foundation walls, but shall not pump directly onto adjacent property, a minimum of two feet off any property line. Any owner of a dwelling or other building whose sump pump discharges onto a sidewalk or through the curb and onto the street, shall disconnect said discharge pipe during the months the winter parking regulations are in effect.
- (11) Liability of Village. This ordinance shall not be construed as imposing any liability on the part of the Village for damages to anyone injured or any property destroyed by any defect in building or equipment, gas equipment, any plumbing or any electrical wiring or equipment or by reason of any inspection made by any Village officer or employee.
- (12) Penalty. Except as otherwise provided herein, any person, firm, corporation, or organization found in violation of any provision of this ordinance, or any rule or order promulgated herein shall be subject to a penalty as provided in 8.25 and 24.05 of this Code.

8.21 Electrical Code. This section shall be known as the Electrical Code of North Fond du Lac. The purpose of this section is to safeguard persons and property from hazards arising from the use of electricity. This section is not intended to be a design specification or as an instruction manual. The village has the same scope as Wisconsin Administrative Code, SPS 316 -

Electrical. (1) DEFINITIONS. Terms used in this chapter have the following meaning:

(a) *Electrical Work.* The installation, superintending or inspection of electrical wiring and equipment for production, modification, regulation, control, distribution, utilization, or safeguarding of electrical energy as covered by the Wisconsin Administrative Code, SPS 316-Electrical.

(b) *Electrical Contractor.* Any person, firm or corporation engaged in the business of erecting, installing, altering repairing, servicing or maintaining electrical wiring. The contractor must hold a master electrician's license, or have a master electrician regularly employed in a supervisory manner.

(c) *Master Electrician.* A person having the necessary qualifications, training, experience, and technical knowledge to properly plan, layout, and supervise the installation of wiring, servicing, erecting, or maintaining electrical wiring in accordance with the Wisconsin

Administrative Code, SPS 316 - Electrical.

(d) License & Certificate. No person shall undertake to alter, plan, install or supervise electrical wiring and equipment without first having obtained a license, or a certificate.

(e) State Electrical Code. Wisconsin Administrative SPS 316 - Electrical, is hereby adopted and made part of this code with the same force and effect as thus set out herein in full. Failure to comply with any of the provisions of SPS 316 shall constitute a violation of this chapter. Any future changes or additions to the Wisconsin Administrative Code, SPS 316 - Electrical are adopted and the inspector will enforce the most current code adopted by the State of Wisconsin.

(2) ELECTRICAL INSPECTOR. The position of UDC Electrical Inspector and Commercial Electrical Inspector shall be appointed according to section 1.03(7)(k) and shall administer and enforce this ordinance. The electrical inspector shall be certified by the Department of Safety and Professional Services as specified by Wis. Stats. §101.88(2). The Electrical Inspector may appoint, as necessary, subordinates, whose appointments shall be subject to confirmation by the Board.

(a) Right Of Access To Buildings. If an electrical permit has been obtained to perform electrical work on a public or private building, the Electrical Inspector or his assistants shall have the right during reasonable hours to inspect the work performed. The board has granted all village inspectors the authority to inspect property within the village limits. Failure to grant access to a property may result in an inspection warrant requested by the village inspector.

(b) Authority To Discontinue Electrical Operations. The Electrical Inspector shall have the authority to cause the electrical currents to any equipment to be turned off which he finds to be in an unsafe condition, and cut or discontinue electrical service in case of emergency and where such electrical currents are dangerous to life or property or may interfere with the work of the Fire Department. No person shall reconnect any equipment thus cut off until written permission is given by the Electrical Inspector.

(c) Periodic Inspection. The Electrical Inspector may periodically inspect any existing electrical wires or electrical equipment within the village. If an unsafe condition is discovered during a periodic inspection, the owner-occupant-operator-user will be notified. The notification must include the date of the inspection, a description of the unsafe condition, and a time frame to correct the unsafe condition. The time frame for the correction cannot exceed 30 days from the date the owner is notified. Failure to correct the violation within the time allotted will be considered a violation of the Village Electrical Code.

(3) ELECTRICAL PERMIT REQUIRED. No person shall perform any electrical work, that requires \$50.00 of materials or \$100.00 of contracted labor and materials in any 12 month period, without obtaining an electrical permit for such work from the village. Any work that requires less than \$50.00 of materials or less than \$100.00 contracted labor and materials requires no permit. Permits will be issued only to a licensed contractor, licensed industrial firm, corporation, or institution. If a resident occupies an existing single family home as their primary residence, he/she may obtain a permit for any electrical work with the exception of installing, modifying or upgrading an electrical service. New home electrical permits expire per the Uniform Dwelling Code. All other electrical permits shall expire if the electrical work is not commenced within six

(6) months from the date of such permit.

(4) ELECTRICAL PERMIT FEE. The electrical permit fee shall be determined by resolution of the village board. Permit fees may be doubled for failure to secure a permit prior to the start of a job. If a permit expires, a new permit shall be obtained prior to recommencing the Re-inspection and special inspection may be charged at a rate of \$30 per inspection.

(5) PLANS REQUIRED. At the time of the issuance of a permit, the Electrical Inspector may require the manufacturer, owner, installer, or user to submit plans (drawings), data, and specifications.

(6) INSPECTIONS. The applicant or an authorized representative shall, in writing or orally, request inspections to the village. The village inspector shall perform the requested inspection within 2 business days after notification. The electrical work must not be concealed for a rough in electrical inspection. If the inspection is not completed within the 2 business days after notification, the work may proceed. All inspections must be recorded. Electrical service connections will be completed by the utility after a Permit for Connection is filed. If an Electrical Inspector is not available to file the Permit for Connection, contractors may make arrangements with the Electrical Inspector to fulfill Wis. Stats. §101.865 requiring proof that wiring complies with code prior to current being provided. Any code violations discovered during the inspection(s) must be documented by the inspector. The inspector must notify the responsible party with a description of the code violation and establish a re-inspection time.

(7) LICENSES AND CERTIFICATES.

(a) *Required.* No person shall alter, or install electrical wires and apparatus for the utilization of electric current for light, heat or power in the village without first having procured a license or registration as required unless exempted by § 101.862(4).

(b) *Classes Of Licenses And Certificates.* There shall be one class of electrical contractor certificates and one classe of licenses.

1. Electrical Contractor's Certificate.
2. Master Electrician's License:

(c) *Working Without A License Or Certificate.*

1. Employees of electrical telephone and railway may perform the planning or superintending and installation, operation and maintenance of equipment and materials required for the operation of business of such utilities without a license, but when said employees perform said work on property or premises of other persons except when making service connections and installing and testing transformers, meters, and other equipment ordinarily furnished by and remaining the property of said utility, they shall be licensed in the manner provided in this chapter.

2. A licensed electrical contractor, an individual holding a master electrician license that is insured, or an individual holding a license from a community in Wisconsin that is insured shall be required for all electrical work done in the village.

a. Exception: A person who owns a single family dwelling and resides in the home may be allowed to obtain the permit and do interior wiring on the home, residential garage, or residential

shed.

b. No work on the electrical service may be done by the homeowner. To be considered as residing in a single family dwelling the person must have all utilities in their name, have no tenants, make their permanent address at the property and must reside at the property after the completion of the work.

8.22 Heating, Ventilation, and Air Conditioning Code. This section shall be known as the HVAC Code of North Fond du Lac. The purpose of this chapter is to provide minimum standards to safeguard life or limb, health, property and the public's welfare.

(1) **DEFINITIONS.** Terms used in this chapter have the following meaning:

(a) *Warm Air Heating.* Includes the following types of heating systems and appurtenances as defined and limited under other sections of this code.

1. Forced warm air, gas/oil and air-conditioning systems.
2. Warm air ceiling or floor panel systems.
3. Unit heaters and rooftop heating and cooling equipment.
4. Conversion heating gas/oil burners and heating equipment.
5. Air conditioning.
6. Hot water, steam, and hydronic heating systems.

(2) **HVAC PERMIT AND LICENSE REQUIRED.** An HVAC permit is required for the installation, repair and replacement of warm air heating, excluding minor work as defined in section 5. No person shall construct or install any warm air heating equipment or appurtenances, such as are subject to the provisions of this code, in or for any building or alter or repair any such existing warm air heating equipment or appurtenances as are subject to the provisions of this code without the holder of a HVAC contractor license issued by the Department of Safety and Professional Services.

(a) *Owner-occupant exemption.* The owner-occupant of a single dwelling house may, with the assistance of any member of his family and household, personally carry on in such house any work governed by this chapter without such license, provided that the owner shall obtain a permit for any such work and shall call for inspection as hereinafter provided. This exemption shall not apply to the original installation in a new home.

(3) **EMERGENCY WORK.** In cases of emergency, the contractor may proceed with the work and file the application for a permit within 24 hours, Sundays and holidays excepted.

(4) **PLANS REQUIRED.** At the time of the issuance of a permit, the Electrical Inspector may require the manufacturer, owner, installer, or user to submit plans (drawings), data, and specifications.

(a) The application for a heating permit for a one- or two-family dwelling need not be

- accompanied by complete heating plans, unless so ordered by the Inspector.
- (b) When compliance with state statutes governing heating and ventilation is required for new buildings containing 50,000 cubic feet or more or additions or alterations to buildings containing 100,000 cubic feet or more, the application for a heating permit shall be accompanied by a set of plans approved by the Wisconsin Department of Safety and Professional Services.
 - (c) When compliance with state statutes governing heating and ventilation is required for a new building containing less than 50,000 cubic feet or alterations to buildings containing less than 100,000 cubic feet, the application for a heating permit shall be accompanied by a set of plans approved by the Wisconsin Department of Safety and Professional Services or be accompanied by a complete plans, specifications and data sheets as required in §§ SPS 361.30, 361.31 and 361.60(5)(c), Wis. Adm. Code. These plans must be submitted to the Building Inspector for approval, providing he has received a certificate of competency from the Wisconsin Department of Safety and Professional Services.
- (5) Minor work. No permit shall be required for minor repairs or alterations less than \$300.00 in value which do not require dismantling of the furnace.
- (6) Expiration. Permits shall expire if the work authorized is not commenced within six calendar months from the date of such permit or 12 months from the date of issue.
- (7) HVAC permit fees shall be paid to the Village upon issuance of a permit as required by this ordinance. Permit fees shall be based on the cost of a job, including the cost of labor and material, and shall be paid in an amount set by resolution of the Village Board.
- (8) Inspection
- (a) Notification, time, number of inspections. In any building or addition, immediately upon completion of those portions of the installation which are thereafter to be concealed or covered, the heating contractor shall notify the Inspector, giving the location of the work, that the portions of the installation are ready for inspection and no person shall lath over, plaster or cover up any heating work before such work has been inspected and approved. The Inspector shall have the right and authority to order the removal of such lath, plaster or other covering which may have been placed over such work before the same has been inspected. The Inspector must make inspection within two working days after notice, except Sundays and holidays on all one and two family homes. Final inspection on new installations shall be made upon completion of such work. Inspection of repair, replacement or conversion work shall be made upon completion of such work.

- (b) Stop-work order. Whenever any work or project governed by the provisions of this ordinance and for which a permit has been issued as provided herein is being performed or carried on in violation of any of the provisions of this chapter, the Inspector shall post a printed notice to stop work, signed by the Inspector, on the premises where such work is in progress and notify anyone in charge of such work on the premises of such stop order. After the posting of such notice, no person shall do any further work on the project until such time as the defects or violations of this ordinance have been eliminated to the approval of the Inspector, and the stop-work order so posted shall not affect work not governed by this ordinance, except where the progress of any such work would interfere with inspection of work governed by this ordinance.
- (c) Violations. To fail or neglect to comply with the provisions of this chapter and of the permit so issued hereunder shall be considered a violation of this chapter.
- (9) Liability of Village. This ordinance shall not be construed as imposing any liability on the part of the Village for damages to anyone injured or any property destroyed by any defect in a heating system or equipment, gas equipment, any plumbing or any electrical wiring or equipment or by reason of any inspection made by any Village officer or employee.
- (10) Except as otherwise provided herein, any person, firm, corporation or organization found in violation of any provision of this ordinance or any rule or order promulgated herein shall be subject to a penalty as provided in 8.25 and 24.05 of this Code.

8.25 Penalty. In addition to penalties provided by Statutes or other provisions of this code, any person who shall violate any provision of this chapter or regulations made hereunder, shall be subject to the maximum penalty as prescribed by state or by section 24.05 of this code.

(1) In addition to penalties, the inspector may withhold permits, double the regular permit fee for failure to obtain a permit prior to the start of the job, issue a stop work order, impose injunctive action or issue a municipal citation.